

REMARKS

The Office Action mailed November 21, 2003 has been reviewed and carefully considered.

Claims 1-16 have been cancelled without prejudice. New Claims 21-39 have been added. Claims 17-39 are now pending in this application.

Claims 10 and 11 stand rejected under 35 U.S.C. §102(e) as being anticipated by Klosterman. Claims 1-6, 8 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Schein in view of Bedard. Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Schein in view of Bedard in further view of Klosterman. Claims 12-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Klosterman in view of Schein. Claims 17-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Klosterman in view of Schein and Witek.

As noted above, Claims 1-16 have been cancelled.

With respect to independent Claim 17, Applicants respectfully point out to the Examiner that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention when there is some teaching, suggestion, or motivation to do so found either implicitly or explicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art (see, e.g., MPEP §2143.01). Applicants respectfully assert that no such teaching, suggestion, or motivation exists in Witek. Witek is directed to an automated interactive classified ad system for the Internet (Witek, Title). One of ordinary skill in the art would not look to a classified ad system in developing a composite program guide for displaying program content (e.g., movies, television shows, etc.). Thus, Witek represents a different endeavor with a different problem than that of Claim 17 and, further, is directed to different end users. For example, classified ads involve buyers and sellers, not viewers of program content. Thus, Applicants respectfully assert that there is no teaching, suggestion, or motivation, as required, to combine Witek with any of the other references in which it was combined.

Accordingly, the combination of Witek with Klosterman and Schein is improper, and Applicants respectfully assert that Witek be removed from consideration with respect to any pending Claims.

As Claims 18-20 depend either directly or indirectly from Claim 17 and, thus, include all of the limitations of Claim 17, the use of Witek against these claims is also improper.

Thus, reconsideration of the rejections is respectfully requested.

Also as noted above, new Claims 21-39 have been added. Applicants respectfully assert that said new claims are patentably distinct and non-obvious over the cited references.

In view of the foregoing, Applicants respectfully request that the rejections of the claims set forth in the Office Action of November 21, 2003 be withdrawn, that pending claims 21-39 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's Deposit Account No.07-0832.

Respectfully submitted,

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